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October 14, 2004

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Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: **Ex Parte Notice**

Amendment of Part 22 of the Commission's Rules to Benefit the
Consumers of Air-Ground Telecommunications Services
WT Docket No. 03-103

Dear Ms. Dortch:

On October 13, 2004, Eric Frische, Chief Technical Officer of Space Data Corporation ("Space Data"), and the undersigned of Morrison & Foerster LLP, on behalf of Space Data, met in separate meetings with Jennifer Manner, Senior Counsel to Commissioner Abernathy, and Stefanie Zalewski of Commissioner Abernathy's office, Paul Margie, Spectrum and International Legal Advisor to Commissioner Copps, Sam Feder, Legal Advisor on Spectrum and International Issues to Commissioner Martin, and Barry Ohlson, Senior Legal Advisor to Commissioner Adelstein, to discuss the above-referenced proceeding. Jennifer L. Kostyu of Morrison & Foerster LLP, on behalf of Space Data, also participated in the meetings with Mr. Margie, Mr. Feder, and Mr. Ohlson.

Space Data's representatives explained how high altitude stratospheric platforms are ideally suited for providing air-to-ground ("ATG") services. The parties discussed various licensing approaches that have been proposed for the ATG spectrum band. Space Data explained why the FCC staff's proposal to assign two exclusive licenses (a 2.5 MHz license and a 1.5 MHz license), rather than overlapping licenses, would best serve the public interest and the development of the ATG market. Space Data presented an alternative licensing proposal that would allow the market to decide through a combinatorial bidding auction whether an exclusive or shared licensing scheme provides

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the highest and best use of the ATG spectrum. Space Data also relied upon the arguments set forth in the attached PowerPoint presentation during the meetings.

Pursuant to Section 1.1206(b) of the Commission's rules, an electronic copy of this letter is being filed with the office of the Secretary. If you have any questions regarding this notification, please contact the undersigned.

Very truly yours,

/s/ Cheryl A. Tritt

Cheryl A. Tritt
Counsel to Space Data Corporation

Attachment

cc: Jennifer Manner
Stefanie Zalewski
Paul Margie
Sam Feder
Barry Ohlson